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ACTION EAP-00

INFO LOG-00 NP-00 AID-00 AMAD-00 CPR-02 SRPP-00 UTED-00
TEDE-00 LAB-01 L-00 DCP-01 NSCE-00 OPR-01 PA-00
PRS-00 IRM-00 SSC-01 SSO-00 SS-00 IAP-00 USIE-00
R-00 SHEM-01 DRL-02 SAS-00 /009W
-----A27CEC 220915Z /38

FM AMEMBASSY HANOI
TO SECSTATE WASHDC IMMEDIATE 1371

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SIPDIS

DEPT FOR EAP/BCLTV

E.O. 12958: N/A

TAGS: [OPDC](#) [VM](#)

SUBJECT: DIPLOMATIC NOTE ON LY TONG INCIDENT AND MFA BRIEFING NOTES

REF: HANOI 2557

1. THE FOLLOWING DIPNOTE NO. 368, DATED 11/22/00 WAQS
HANDED TO THE AMBASSADOR AT THE MEETING NOTED IN
REFTEL.

2. BEGIN TEXT.

THE MINISTRY OF FOREIGN AFFAIRS OF THE SOCIALIST
REPUBLIC OF VIETNAM PRESENTS ITS COMPLIMENTS TO THE
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EMBASSY OF THE UNITED STATES OF AMERICA AND, WITH
REFERENCE TO THE FOLLOWING SERIOUS INCIDENT, HAS THE
HONOUR TO INFORM THE LATTER THAT:

IN THE AFTERNOON OF 17TH NOVEMBER 2000, LY TONG, A
VIETNAMESE CITIZEN RESIDING IN THE UNITED STATES OF
AMERICA ILLEGALLY ENTERED VIETNAM'S AIR SPACE IN AN
AIRCRAFT ORIGINATING FROM THAILAND AND DROPPED TENS OF
THOUSANDS OF LEAFLETS AGAINST THE SOCIALISTS REPUBLIC
OF VIETNAM.

THIS ACT OF LY TONG CONSTITUTES A SERIOUS VIOLATION OF
THE SOVEREIGNTY, TERRITORIAL INTEGRITY AND SECURITY OF
THE SOCIALIST REPUBLIC OF VIETNAM AND MOREOVER, IT IS
ALSO A VIOLATION OF AIR-SAFETY REGULATIONS. THIS ACT
IS EVEN MORE SERIOUS AS IT TAKES PLACE AT THE TIME WHEN
U.S. PRESIDENT W. J. CLINTON WAS PAYING AN OFFICIAL
VISIT TO VIETNAM.

IT SHOULD BE BROUGHT TO NOTICE THAT IN 1992 LY TONG WAS
CHARGED WITH HIJACKING, SEIZING CONTROL OF A VIETNAMESE
AIRCRAFT AND HE WAS SENTENCED TO 20 YEARS IN PRISON.
PROMPTED BY A HUMANITARIAN POLICY AND IN RESPONSE TO A
REQUEST BY THE U.S. GOVERNMENT, IN SEPTEMBER 1998, THE
VIETNAMESE STATE GRANTED HIM AMNESTY AND ALLOWED HIM TO
RETURN TO THE UNITED STATES OF AMERICA.

IT SHOULD ALSO BE RECALLED THAT IN IMPLEMENTING THE
RESETTLEMENT PROGRAMME FOR VIETNAMESE IN THE UNITED
STATES OF AMERICA, THE U.S. SIDE FORMALLY COMMITTED NOT
TO ALLOW THESE PEOPLE TO CARRY OUT ACTIVITIES AGAINST
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THE SOCIALIST REPUBLIC OF VIETNAM AND THIS HAS BEEN
CONSIDERED AS A CONDITION FOR THE IMPLEMENTATION OF THE
PROGRAMME. (THIS PARAGRAPH WAS ORIGINALLY OMITTED IN
THE TEXT PRESENTED AT THE 11/22/00 MEETING.)

WHEN PREPARING FOR THE VISIT TO VIETNAM BY THE U.S.
PRESIDENT THE U.S. SIDE COMMITTED TO INFORMING VIETNAM
OF ANY ATTEMPTS TO CREATE DISTURBANCES AND SPREAD
TERROR IN VIETNAM WHICH WOULD AFFECT THE VISIT.

HOWEVER, THESE COMMITMENTS HAVE NOT BEEN HONOURED.

IN THE SPIRIT OF COOPERATION AND FRIENDSHIP BETWEEN OUR
TWO COUNTRIES IN THE WAKE OF THE LAST OFFICIAL VISIT BY
THE U.S. PRESIDENT, THE MINISTRY OF FOREIGN AFFAIRS OF
THE SOCIALIST REPUBLIC OF VIETNAM REQUESTS THAT THE
U.S., IN COORDINATION WITH THE VIETNAMESE GOVERNMENT,

BRING THIS DANGEROUS INTERNATIONAL TERRORIST TO TRIAL AND TAKE EFFECTIVE MEASURES TO PREVENT RECURRENCE OF SIMILAR INCIDENTS IN THE FUTURE.

THE MINISTRY OF FOREIGN AFFAIRS OF THE SOCIALIST REPUBLIC OF VIETNAM AVAILS ITSELF OF THIS OCCASION TO RENEW TO THE EMBASSY OF THE UNITED STATES OF AMERICA TO HANOI THE ASSURANCES OF ITS HIGHEST CONSIDERATION.

END TEXT.

13. THE FOLLOWING TALKING POINTS WERE FAXED TO THE DCM ON 11/22/00 BY THE MFA.

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14. BEGIN TEXT.

TALKING POINTS OF DEPUTY MINISTER BIN TO AMBASSADOR PETERSON (08:30AM ON NOVEMBER 22, 2000)

- THE VISIT OF PRESIDENT CLINTON TO VIETNAM SUCCEEDED, OPENED A NEW CHAPTER IN THE RELATIONSHIP BETWEEN THE TWO COUNTRIES - RELATIONS OF COOPERATION AND FRIENDSHIP BASED ON THE PRINCIPLES OF RESPECTING INDEPENDENCE, SOVEREIGNTY, AND TERRITORIAL INTEGRITY, NON-INTERFERENCE IN EACH OTHER'S INTERNAL AFFAIRS, EQUALITY AND MUTUAL BENEFIT, IN ACCORDANCE WITH THE BENEFIT AND ASPIRATION OF THE TWO COUNTRIES' PEOPLES.

- THANKS TO THE EFFORT OF THE TWO SIDES, THIS VISIT HAD RESULTS SUCH AS THE CONCLUSION OF THE AGREEMENT ON SCIENCE AND TECHNOLOGY, MEMORANDUM ON LABOR COOPERATION, ANNOUNCEMENT FOR ESTABLISHING AN ECONOMIC COOPERATION DIALOGUE, A JOINT COMMITTEE TO IMPLEMENT THE BTA, \$200 MILLION TO HELP FINANCE PRIVATE PROJECTS IN VN, THE SIGNING OF 12 CONTRACTS BETWEEN COMPANIES

... WHICH IMPROVE MUTUAL UNDERSTANDING BETWEEN PEOPLE OF THE TWO COUNTRIES, ACCELERATE RESOLUTION OF CONSEQUENCES OF THE WAR AND CREATE A FRAMEWORK TO INCREASE ECONOMIC COOPERATION.

- TO INCREASE THE MOMENTUM OF THE RELATIONSHIP, WE SUGGEST THE U.S. TO:

Z ENCOURAGE THE U.S. CONGRESS TO RATIFY THE BTA SOON, PROVIDE TECHNICAL ASSISTANCE TO HELP VN TO IMPLEMENT THE BTA, PROVIDE SPECIFIC PLANS TO ESTABLISH

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THE JOINT COMMITTEE TO IMPLEMENT THE BTA.

Z ESTABLISH A COMMITTEE ON THE IMPLEMENTATION OF THE S&T AGREEMENT AS WELL AS DEVELOPING THE LABOR MOU.

Z INFORM US ON SPECIFIC REQUIREMENTS AND INFORMATION ABOUT THE ECONOMIC DIALOGUE SO WE CAN SOON PREPARE TO ESTABLISH METHODS OF DIALOGUE.

Z BE WELL PREPARED FOR THE SINGAPORE MEETING NEXT WEEK TO DISCUSS THE CONSEQUENCES OF TOXIC CHEMICALS IN ORDER TO HAVE POSITIVE RESULTS. THE U.S. NEEDS TO HAVE REALISTIC PROGRAMS TO SOLVE THIS PROBLEM.

Z ACCELERATE THE IMPLEMENTATION OF ITS COMMITMENT IN HELPING VN WITH INFORMATION, WHICH WOULD HELP VN TO SEEK ITS MIAS, TO HELP VN IN DEMINING UXOS, TO HELP VN IN THE PREVENTION OF NATURAL DISASTER.

Z COORDINATE WITH VN'S COMMITTEE FOR CHILD PROTECTION & CARE TO ORGANIZE THE "CONFERENCE OF SAFETY FOR VIETNAMESE CHILDREN" IN SPRING 2001.

- ON NOV 17, 2000, LY TONG (DUAL AMERICAN & VIETNAMESE CITIZENSHIP) USED AN AIRPLANE WHICH DROPPED TENS OF THOUSANDS OF LEAFLETS WHICH HAVE CONTENTS OPPOSING VN, WAS AN INTERNATIONAL TERRORIST ACT, VIOLATED VN LAW, INTERNATIONAL LAW AND CONVENTIONS. BECAUSE OF THE HUMANITARIAN POLICY AND GOODWILL OF VN, INCLUDING SUGGESTION FROM THE U.S., HE WAS GRANTED AMNESTY IN 1998. THIS TIME, VN REQUESTS THE U.S. NOT TO INTERFERE TO EXTRADITE HIM TO THE U.S., LET HIM BE TRIED IN COURT INSTEAD.

BY THE WAY, VN ONCE AGAIN REQUESTS THE U.S. TO TAKE

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MORE APPROPRIATE ACTION SO THAT VIETNAMESE AMERICANS WILL NOT TAKE EXTREME ACTIONS OPPOSING VN AND THE PROCESS OF IMPROVING RELATIONS BETWEEN THE U.S. AND VN.

(A DIPLOMATIC NOTE IS ATTACHED RELATING TO THIS ISSUE.)

- THANK YOU, MR. AMBASSADOR AND YOUR SPOUSE, FOR HAVING POSITIVE CONTRIBUTIONS IN MAKING THE PRESIDENTIAL VISIT A SUCCESS. HOPEFULLY, THE AMBASSADOR WILL CONTINUE TO HAVE MORE POSITIVE CONTRIBUTIONS TO ACCELERATE THE RELATIONS BETWEEN THE TWO COUNTRIES.

END TEXT.

PETERSON

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